

Appl. No. 09/723,345  
Amdt. dated January 27, 2003  
Reply to Office action of October 6, 2003

### REMARKS

In the Office Action dated October 6, 2003, were rejected under 35 U.S.C. § 103 over U.S. Patent No. 6,073,019 (Lowdon) and WO 98/35511 (Harjula). Claims 1-8 are pending in the application.

Claim 1 has been amended so as to recite that the part of the second frequency signals which is applied to the first cable run includes a beacon signal specific to the cell serviced by the second base station.

Claim 3 has been amended for reasons of consistency with the terms used in claim 1 thus amended.

The Examiner is thanked for the clarity of his/her response to arguments filed July 28, 2003 in response to the first Office Action (paper 5). The Examiner's interpretation of Harjula is now better understood.

Harjula discloses a prior reservation scheme; a particular frequency channel is occupied by the radio-telephone; when a call handover is anticipated, the same frequency channel has already been reserved at the target base station (see page 8, paragraph 1), while the transmitter at said base station remains turned off (page 8, paragraph 1); at same point, the target base station turns its transmitter on and informs the infrastructure to change the channel unit on the old base station (which had previously serviced the call) to the handover standby state (page 8, paragraph 3); now the transmitter of said old base station is turned off when in stand-by mode (page 8, paragraph 2, and page 10, last paragraph).

It is the opinion of the applicant that the Examiner interprets Harjula in the way that both base stations are transmitting at the same time - indeed in the same frequency channel - during the very short period of time ranging from the turning on of the target base station's transmitter, and the turning off of the old base station's transmitter.

Applicant respectfully traverses this interpretation. In the applicant's view, Harjula only teaches using a prior reservation scheme in order to facilitate the call handover. However, the scheme implements a handover standby state in the target base station and then in the old base station after the handover has taken place, whereby both base stations are receiving but are not

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transmitting at the same time (see page 3, last paragraph, second sentence; a,d page 4, paragraph 4). Stated otherwise, Harjula teaches an overlap of cells in the uplink direction.

On the contrary, the overlap of cells according to claim 1 is obtained in respect of the radio frequency signals transmitted from the respective base stations toward the mobile station, i.e., in the downlink direction (see page 7, first and second paragraphs).

Amendment to claims 1 and 5 are aimed at making it clearer which part of the second radio frequency signals is applied to the first cable run. Although this amendment is not necessary to distinguish over the prior art - see above remarks to Harjula - it will be recognized that the feature added to claim 1 is neither disclosed nor suggested in the available prior art.

The invention as recited in claim 1 allows a mobile station which is currently serviced by the first base station, to pick up the beacon signal of the second base station in order to prepare for the handover.

For the reasons set out above, early allowance of the application is respectfully solicited. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 20-1504 (MTR.0002US).

Respectfully submitted,

Date: \_\_\_\_\_

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